

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

SAI HOSPITALITY MANAGEMENT  
COMPANY, LLC, a Georgia Limited  
Liability Company,

Plaintiff,

v.

Case No. 2:20-cv-00280-JLB-MRM

ROCKHILL INSURANCE COMPANY,

Defendant.

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**ORDER**

Defendant Rockhill Insurance Company (“Rockhill”) moves, in part, to strike Plaintiff Sai Hospitality Management Company, LLC’s (“SHMC”) request for consequential damages in its amended complaint. (Docs. 11, 17.) On January 21, 2021, the Florida Supreme Court held that extra-contractual, consequential damages are not permitted in first-party breach-of-contract actions that do not involve bad faith. See Citizens Prop. Ins. Corp. v. Manor House, LLC, No. SC19-1394, 2021 WL 208455, at \*4 (Fla. Jan. 21, 2021).

The parties are **DIRECTED** to provide supplemental briefing on whether the Florida Supreme Court’s recent decision in Manor House resolves their dispute on whether consequential damages are appropriate in this case. If so, the parties shall advise the Court which issues in Rockhill’s motion remain to be resolved.<sup>1</sup>

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<sup>1</sup> The Court notes that Rockhill’s motion to dismiss Count II of the amended complaint is unopposed—the parties’ sole point of contention appears to be whether the dismissal should be with or without prejudice.

SHMC shall file its supplemental brief no later than **February 1, 2020**.

Rockhill shall file a supplemental brief no later than **February 8, 2020**. **Neither of the briefs shall exceed five pages in length.** If the parties do not dispute the effect of Manor House on this case, they are permitted and encouraged to file a joint brief in response to this Order. Similarly, the parties are encouraged to confer and amicably resolve any other issues in Rockhill's pending motion.

**ORDERED** in Fort Myers, Florida, on January 25, 2021.

A handwritten signature in black ink, reading "John L. Badalamenti". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

**JOHN L. BADALAMENTI**  
**UNITED STATES DISTRICT JUDGE**